

Amendments to the Drawings:

The drawing sheet attached in connection with the above-identified application containing Figure 6B is being presented as a new formal drawing sheet to be substituted for the previously submitted drawing sheet. The drawing Figure 6B has been amended. Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

The specific change which has been made to Figure 6B is to include "FOR" before "THE CURRENT PRODUCT" in block 680.

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, a paragraph has been amended on page 21.

Claims 1, 4, 5, 7, 8, 10 and 18 are currently being amended. The amendments to independent claim 1 are supported throughout the specification, for example, in paragraph [0015].

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier...

After amending the claims as set forth above, claims 1-18 are now pending in this application.

Drawings

The drawings were objected to for a grammatical error in FIG. 6B. FIG. 6B has been amended to include "FOR" before "THE CURRENT PRODUCT" in block 680 as suggested by the Examiner, and thus the drawing objection has been overcome.

Specification

The specification was objected to for informalities. The specification has been amended in paragraph 68 as suggested by the Examiner, and thus the objection thereto has been overcome.

Abstract

The abstract has been amended to be 150 words or less, and applicants submit that the abstract is in proper form.

Title

The Patent Office indicated that the title was not descriptive. The title has been amended to be "METHOD OF PRODUCT ORDERING AND INVENTORY

REPOSITIONING FOR A PROMOTION,” and applicants submit that the title, as amended, is descriptive.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 1-18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The claims have been amended to address the issues raised in the Office Action, and applicants submit that the rejection under 35 U.S.C. § 112, second paragraph, has been overcome.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1, 3, 4, 6, 7, 13, 14 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,953,707 to Huang et al. (“Huang”). Claims 2 and 8-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Huang in view of U.S. Patent 5,765,143 to Sheldon et al. (“Sheldon”). Claims 5 and 15-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Huang. Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Huang in view of U.S. 2003/0130883 A1 to Schroeder et al. (“Schroeder”). Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1, as amended to clarify that claim, recites:

A computer implemented method of product ordering and inventory repositioning for a promotion in a supply chain management system utilizing a network, comprising:

obtaining, *during a current product sales promotion*, via the network from a plurality of stores in a first region, each store associated with a respective distribution center within the first region, point of sale data for a first period of time less than a length of time allotted for a current product sales promotion;

causing, *during the current product sales promotion*, a computer calculation of a product demand level for stores associated with at least one distribution center for the current product sales promotion based on an outlook model and the point of sale data;

causing, *during the current product sales promotion*, a computer calculation of a product amount for the at least one distribution center based at least in part on the product demand level for stores associated with the at least one distribution center; and

taking, *during the current product sales promotion*, an electronic action based on the product amount for the at least one distribution center.

Thus, in claim 1, the processes of obtaining POS data, causing a computer calculation of a product demand level, causing calculation of a product amount for at least one distribution center based on the product demand level, and taking an electronic action, as those processes are recited in claim 1, all occur during the current product sales promotion. Huang, and the remaining references applied in the rejection of the claims, fail to disclose at least this feature of claim 1, or its advantages in allowing for current POS data to be used to forecast product demand during the promotion.

Huang discloses a decision support system for the management of an agile supply chain (Title). Huang discloses analyzing market data and past demand history to estimate future demand requirements (col. 19, line 31-34). The outputs of the Demand Management of Huang include the analysis of past history, future forecasts, and sales promotions (col. 19, lines 34-37).

In contrast to claim 1, however, Huang does not disclose the processes of obtaining POS data, causing a computer calculation of a product demand level, causing calculation of a product amount for at least one distribution center based on the product demand level, and taking an electronic action, as those processes are recited in claim 1, all occurring during the current product sales promotion. While Huang discusses POS data and sales promotions, Huang does not disclose using POS data obtained during a current sales promotion to determine, during the current sales promotion, a product demand level and a product amount for at least one distribution center based on the product demand level. The demand requirements of Huang at a particular distribution center are not disclosed as being determined during a sales promotion using relevant POS data obtained during the promotion. Rather Huang appears to merely be using historical data in its predictions of demand requirements.

Moreover, Huang does not suggest the advantages of the method of claim 1 in allowing for current POS data to be used to forecast product demand during the promotion. Such a method allows for adjustment of prediction of product demand level, and product amount at a distribution center, during the promotion itself based on POS data obtained during the promotion. Huang fails to suggest this advantage.

The remaining references applied in the rejection of the claims were cited for other features of the claims, but fail to cure the deficiencies of Huang.

The dependent claims are patentable for at least the same reasons as independent claim 1, upon which they depend, either directly or indirectly.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

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By

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ABSTRACT

A computer implemented method ~~of product ordering and inventory repositioning for a promotion in a supply chain management system~~ utilizing a network is provided. The method ~~comprises~~ includes obtaining via the network from a plurality of stores in a first region, each store associated with a respective distribution center within the first region, point of sale data for a short period of time relative to a length of time allotted for a current product sales promotion. A computer calculation is caused of a product demand level for stores associated with at least one distribution center for the current product sales promotion based on an outlook model and the point of sale data. A computer calculation is caused of a product amount for the at least one distribution center based at least in part on the product demand level for stores associated with the at least one distribution center. ~~[[Am]]~~ An electronic action is taken based on the product amount for the at least one distribution center.

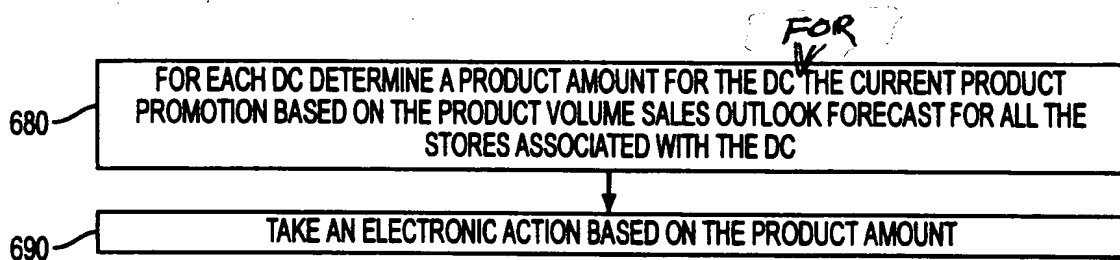


FIG. 6B